

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARY GERTSEN, et al.,	:	CIVIL ACTION NO. 1:04-CV-1779
	:	
Plaintiffs	:	(CONSOLIDATED)
	:	
v.	:	(Judge Conner)
	:	
FIRST HORIZON HOME LOAN	:	
CORP., et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 21st day of December, 2006, upon consideration of the appeal (Docs. 354, 355, 356) from the magistrate judge's order granting plaintiffs' motion to compel (see Doc. 353), see 28 U.S.C. § 636(b)(1)(A); L.R. 72.2, filed by defendants First Horizon Home Loan Corp. and FT Mortgage, and the order of court dated November 21, 2006 (Doc. 389) directing plaintiffs to file a responsive brief to defendants' appeal by December 8, 2006, and it appearing that plaintiffs have not filed a responsive brief as of the date of this order, see L.R. 72.2 (providing that "[a]ny party opposing the appeal shall file a responsive brief"), but that the parties at issue have amicably resolved their disputes (see Doc. 396 at 3 n.1 ("[T]he discovery dispute that was the subject of [the appeal] is moot")), it is hereby ORDERED that the appeal (Docs. 354, 355, 356) is DENIED as moot without prejudice to defendants' right to renew their appeal if plaintiffs seek the discovery at issue.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge